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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 Luciano Molina Rios,

11 Petitioner,

12 v.

13 Jeffrey A Uttecht,

14 Respondent.

CASE NO. 3:19-cv-06112-RBL-DWC

ORDER DENYING MOTION TO
AMEND CASE CAPTION

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16 Before the Court is Petitioner's Motion to Amend Case Caption ("Motion"). Dkt. 6.
17 Petitioner Luciano Molina Rios, who is proceeding *pro se*, filed a Petition for Writ of Habeas
18 Corpus pursuant to 28 U.S.C. § 2254. Dkt. 3. In his Petition, Petitioner named Jeffrey Uttecht as
19 Respondent. *See id.* Petitioner now moves for the Court to amend the case caption to the State of
20 Washington as respondent. Dkt. 6.

21 The proper respondent to a habeas petition is the "person who has custody over [the
22 petitioner]." 28 U.S.C. § 2242; see also § 2243; *Brittingham v. United States*, 982 F.2d 378 (9th
23 Cir. 1992); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989). According to his Petition,
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1 Petitioner is currently confined at Coyote Ridge Corrections Center ("CRCC") in Connell,
2 Washington. *See* Dkt. 3. The Superintendent of CRCC is Jeffrey A. Uttecht.

3 Accordingly, Jeffrey A. Uttecht is the proper respondent in this action. Petitioner's
4 Motion (Dkt. 6) is denied.

5 Dated this 30th day of December, 2019.

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8 David W. Christel
9 United States Magistrate Judge
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